United States Department of Agriculture

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BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

SERVICE AND REGULATORY ANNOUNCEMENTS

JANUARY–MARCH 1942

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QUARANTINE AND OTHER OFFICIAL ANNOUNCEMENTS

ANNOUNCEMENTS RELATING TO JAPANESE BEETLE QUARANTINE (NO. 48)

REVISE QUARANTINE ON JAPANESE BEETLE

[Press notice]

MARCH 25, 1942.

The United States Department of Agriculture announced today that Japanese beetle quarantine regulations have been revised, effective March 24, 1942.

Regulated areas have been extended to include relatively small sections in Maryland, New York, Pennsylvania, Virginia, and West Virginia. The new areas include parts of the counties of Allegany and Washington, Md., the previously unregulated parts of Carroll, Frederick, and Prince Georges Counties, Md., parts of Ontario and Monroe Counties, N. Y., Meadville, Pa., Charlottesville, Danville, Schoolfield, and Front Royal, Va., Paden City, and the magisterial district of Lincoln in Tyler County, W. Va. These additions to the regulated area are made because numbers of beetles were found in these sections by scouts in 1941.

That part of the regulated area from which the movement of fruits and vegetables is under regulation—the more heavily infested area—has been extended to include additional districts in Anne Arundel and Baltimore Counties, Md., and in Berks, Cumberland, Lehigh, Northampton, and York Counties, Pa. Charlottesville, Va., is now included with Toledo, Ohio, and Winchester, Va., as isolated regulated points to which fruit and vegetable shipments via refrigerator car or motortruck may move only under certification. Shippers of cut flowers located within the regulated area, but outside the heavily infested part, now are not required to obtain certification for their shipments. Soil-free rooted cuttings and fresh manure are exempt from certification under current regulations.

B. E. P. Q.—Q. 48.

Revision of Regulations
Effective March 24, 1942

TITLE 7—AGRICULTURE

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 301—DOMESTIC QUARANTINE NOTICES

JAPANESE BEETLE QUARANTINE

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INTRODUCTORY NOTE

In the current revision of the Japanese beetle quarantine regulations, relatively small extensions of regulated areas are made in Maryland, New York, Pennsylvania, Virginia, and West Virginia. Additions to the regulated area in Maryland include portions of the counties of Allegany and Washington, and the previously unregulated portions of the counties of Carroll, Frederick, and Prince Georges. In New York, the town of Manchester, Ontario County, and the town of Pittsford and village of East Rochester, in Monroe County, are brought under regulation. Extension of the Pennsylvania regulated area is limited to the city of Meadville, in Crawford County. The cities of Charlottesville and Danville, the village of Schoolfield in Pittsylvania County, and the town of Front Royal in Warren County, Va., are added to the regulated area. The area in Warwick County, Va., has been slightly increased and described as the magisterial district of Newport, which includes the Camp Stuart locality heretofore under regulation. An addition to the West Virginia area was made by the inclusion of the magisterial district of Lincoln, Tyler County, and the town of Paden City, in Tyler and Wetzel Counties.

Areas from which the movement of fruits and vegetables is regulated (§ 301.48–5) have been further extended to include additional election districts and towns in Anne Arundel and Baltimore Counties, Md., and Berks, Cumberland, Lehigh, Northampton, and York Counties, Pa. Charlottesville, Va., is now included with Toledo, Ohio, and Winchester, Va., as isolated regulated points to which fruit and vegetable shipments via refrigerator car or motortruck may move only under certification.

Soil-free rooted cuttings and fresh manure have been added to the list of exempted articles, and the special labeling requirements previously prescribed for containers of certain exempted articles have been removed.

Restrictions on the movement of cut flowers are now confined to shipments moving from the heavily infested area interstate to points outside the regulated areas. This heavily infested area (§ 301.48–5) is that from which the movement of fruits and vegetables is also restricted. This will relieve shippers of cut flowers located within the regulated area, but outside the heavily infested portion, from the necessity of obtaining certification for their shipments.

Minor changes have been made in § 301.48–6 relating to the maintenance of a classified status at an infested nursery or greenhouse.

Authorization for the issuance of permits for the movement via motortruck of all restricted articles from a regulated area through a nonregulated area to another regulated area has been restored.

This revision supersedes the rules and regulations supplemental to the revision of Notice of Quarantine No. 48, which became effective February 12, 1941, as amended by administrative instructions (B. E. P. Q. 513), effective April 21, 1941.

SUMMARY

Unless a certificate has been issued, these regulations, as now revised, prohibit the interstate movement between June 15 and October 15 (between June 1 and October 15 in the case of Accomac and Northampton Counties, Va.) of all fruits and vegetables by refrigerator car or motortruck and cut flowers by any mode of transportation, from the District of Columbia, the State of Delaware, and parts of Maryland, New Jersey, Pennsylvania, and Virginia, as defined in § 301.48–5, to or through points outside the regulated areas as defined in § 301.48–3.

Also restricted in the regulations is the interstate movement of plants, sand, soil, earth, peat, compost, and manure from any part of the regulated areas to

or through any outside point throughout the year unless a Federal permit or certificate has been obtained. For details and exceptions see §§ 301.48–6 and 7.

Included in the regulated areas are the District of Columbia, the entire States of Connecticut, Delaware, Massachusetts, New Jersey, and Rhode Island, and parts of Maine, Maryland, New Hampshire, New York, Ohio, Pennsylvania, Vermont, Virginia, and West Virginia, as described in § 301.48–3.

These regulations also specify the conditions governing the protection of restricted articles from infestation while in transit (§ 301.48–8), require thorough cleaning of vehicles, containers, and refrigerator cars which have been used in transportating restricted products (§§ 301.48–5 and 13), and provide other safeguards and conditions, as specified in the regulations.

To obtain permits and certificates, address the Bureau of Entomology and Plant Quarantine, 266 Glenwood Avenue, Bloomfield, N. J., or the nearest branch office listed in the appendix.

DETERMINATION OF THE SECRETARY OF AGRICULTURE

The Secretary of Agriculture, having determined that it was necessary to quarantine the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, and the District of Columbia, to prevent the spread of the Japanese beetle (*Popillia japonica* Newm.), a dangerous insect new to and not theretofore widely prevalent or distributed within and throughout the United States, and having given the public hearing required by law, promulgated the thirteenth revision of Notice of Quarantine 301.48, part 301, chapter III, title 7, Code of Federal Regulations, and rules and regulations supplemental thereto, governing the movement of (1) fruits and vegetables; (2) nursery, ornamental, and greenhouse stock, and other plants; and (3) sand, soil, earth, peat, compost, and manure, from any of the above-named States or the District of Columbia, into or through any other State or Territory or District of the United States, §§ 301.48–1 to 14, inclusive, part 301, chapter III, title 7, Code of Federal Regulations [B. E. P. Q.—Q. 48, effective on and after February 12, 1941].

I have determined that it is necessary to revise the aforesaid rules and regulations for the purpose of extending the regulated areas owing to the discovery of substantial infestations of the Japanese beetle in additional sections, and to make other modifications.

ORDER OF THE SECRETARY OF AGRICULTURE

Pursuant to the authority conferred upon the Secretary of Agriculture by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161), the subpart entitled "Japanese Beetle" of part 301, chapter III, title 7, Code of Federal Regulations [B. E. P. Q.—Q. 48, as revised] is hereby revised effective March 24, 1942, to read as follows:

SUBPART—JAPANESE BEETLE

QUARANTINE

§ 301.48. *Notice of quarantine.*—Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161), I do quarantine the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, and the District of Columbia, to prevent the spread of the Japanese beetle. Hereafter (1) fruits and vegetables; (2) nursery, ornamental, and greenhouse stock, and other plants; and (3) sand, soil, earth, peat, compost, and manure, shall not be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved from any of said quarantined States or District into or through any other State or Territory or District of the United States in manner or method or under conditions other than those prescribed in the rules and regulations hereinafter made and amendments thereto: *Provided*, That the restrictions of this quarantine and of the rules and regulations supplemental thereto may be limited to the areas in a quarantined State now, or which may hereafter be, designated by the Secretary of Agriculture as regulated areas when, in the judgment of the Secretary of Agriculture, the enforcement of the aforesaid rules and

regulations as to such regulated areas shall be adequate to prevent the spread of the Japanese beetle: *Provided further*, That such limitations shall be conditioned upon the said State providing for and enforcing such control measures with respect to such regulated areas as, in the judgment of the Secretary of Agriculture, shall be deemed adequate to prevent the spread of the Japanese beetle therefrom to other parts of the State: *And provided further*, That certain articles classed as restricted herein may, because of the nature of their growth or production or their manufactured or processed condition, be exempted by administrative instructions issued by the Chief of the Bureau of Entomology and Plant Quarantine when, in his judgment, such articles are considered innocuous as carriers of infestation: *And provided further*, That whenever, in any year, the Chief of the Bureau of Entomology and Plant Quarantine shall find that facts exist as to the pest risk involved in the movement of one or more of the articles to which the regulations supplemental hereto apply, making it safe to modify, by making less stringent, the restrictions contained in any such regulations, he shall set forth and publish such finding in administrative instructions, specifying the manner in which the applicable regulation should be made less stringent, whereupon such modification shall become effective, for such period and for such regulated area or portion thereof as shall be specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected areas.[1]

RULES AND REGULATIONS

Meaning of Terms

§ 301.48–1. *Definitions.*—For the purpose of these regulations the following words, names, and terms shall be construed, respectively, to mean:

(a) *Japanese beetle.*—The insect known as the Japanese beetle (*Popillia japonica* Newm.), in any stage of development.

(b) *Infested, infestation.*—The terms "infested," "infestation," and the like, relate to infestation with the Japanese beetle.

(c) *Quarantined area.*—Any State or District quarantined by the Secretary of Agriculture to prevent the spread of the Japanese beetle.

(d) *Regulated area.*—Any area in a quarantined State or District which is now, or which may hereafter be, designated as such by the Secretary of Agriculture in accordance with the provisos of § 301.48, as revised.

(e) *Fruits and vegetables.*—For the list of restricted fruits and vegetables see § 301.48–5.

(f) *Nursery and ornamental stock.*—Nursery, ornamental, and greenhouse stock, and all other plants, plant roots, cut flowers, or other portions of plants.

(g) *Sand, soil, earth, peat, compost, and manure.*—Sand, soil, earth, peat, compost, or manure of any kind and as to either bulk movement or in connection with farm products or nursery and ornamental stock.

(h) *Certified sand, soil, earth, peat, compost, and manure.*—Sand, soil, earth, peat, compost, or manure determined by the inspector as uninfested and so certified.

(i) *Certified greenhouse.*—A greenhouse or similar establishment which has complied to the satisfaction of the inspector with the conditions imposed in § 301.48–6. This term may apply also to potting beds, heeling-in areas, hotbeds, coldframes, or similar plots or to storage houses, packing sheds, or stores treated or otherwise safeguarded in manner and method satisfactory to the inspector.

(j) *Inspector.*—An inspector of the United States Department of Agriculture.

(k) *Moved interstate.*—Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved or allowed to be moved from one State or Territory or District of the United States into or through any other State or Territory or District.

(l) *Certificate.*—A valid form evidencing compliance with the requirements of these regulations as to movement of restricted articles to points outside the regulated areas.

(m) *Permit.*—A valid form authorizing movement of restricted articles from a regulated area to a restricted destination in a separate regulated area.

[1] §§ 301.48 to 301.48–14 inclusive, issued under the authority contained in sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C. 161.

Limitation of Restrictions

§ 301.48–2. *Limitation of restrictions to regulated areas.*—Conditioned upon the compliance on the part of the State concerned with the provisos to § 301.48, the restrictions provided in these regulations on the interstate movement of plants and plant products and other articles enumerated in said § 301.48 will be limited to such movement from the area in such State now or hereafter designated by the Secretary of Agriculture as regulated areas.

Areas under Regulation

§ 301.48–3. *Regulated areas.*—In accordance with the provisos to § 301.48, the Secretary of Agriculture designates as regulated areas for the purpose of these regulations the States, District, counties, townships, towns, cities, election districts, and magisterial districts listed below, including all cities, towns, boroughs, or other political subdivisions within their limits:

Connecticut.—The entire State.

Delaware.—The entire State.

District of Columbia.—The entire District.

Maine.—County of York; towns of Auburn and Lewiston, in *Androscoggin County;* towns of Cape Elizabeth, Gorham, Gray, New Gloucester, Raymond, Scarboro, Standish, and the cities of Portland, South Portland, Westbrook, and Windham, in *Cumberland County;* the city of Waterville, in *Kennebec County;* and the city of Brewer, in *Penobscot County.*

Maryland.—Counties of Baltimore, Caroline, Carroll, Cecil, Frederick, Harford, Howard, Kent, Montgomery, Prince Georges, Queen Annes, Somerset, Talbot, Wicomico, and Worcester; the city of Baltimore; the city of Cumberland, the town of Frostburg, and election districts Nos. 4, 5, 6, 7, 8, 11, 12, 13, 14, 22, 23, 24, 26, 28, 29, 31, and 32, in *Allegany County;* the city of Annapolis, and election districts Nos. 2, 3, 4, and 5, in *Anne Arundel County;* election districts of La Plata (No. 1), Pomonkey (No. 7), and White Plains (No. 6), in *Charles County;* election districts of Cambridge (No. 7), Church Creek (No. 9), East New Market (No. 2), Fork (No. 1), Hurlock (No. 15), Vienna (No. 3), and Williamsburg (No. 12), in *Dorchester County;* all of *Washington County* except the election districts of Hancock (No. 5) and Indian Spring (No. 15).

Massachusetts.—The entire State.

New Hampshire.—Counties of Belknap, Cheshire, Hillsboro, Merrimack, Rockingham, Strafford, and Sullivan; towns of Brookfield, Eaton, Effingham, Freedom, Madison, Moultonboro, Ossipee, Sandwich, Tamworth, Tuftonboro, Wakefield, and Wolfeboro, in *Carroll County;* towns of Alexandria, Ashland, Bridgewater, Bristol, Canaan, Dorchester, Enfield, Grafton, Groton, Hanover, Hebron, Holderness, Lebanon, Lyme, Orange, and Plymouth, in *Grafton County.*

New Jersey.—The entire State.

New York.—Counties of Albany, Bronx, Broome, Chemung, Chenango, Columbia, Cortland, Delaware, Dutchess, Fulton, Greene, Kings, Madison, Montgomery, Nassau, New York, Oneida, Onondaga, Orange, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Tioga, Ulster, Washington, and Westchester; towns of Red House and Salamanca, and the city of Salamanca, in *Cattaraugus County;* city of Auburn and the towns of Fleming, Owasco, and Sennett, in *Cayuga County;* towns of Amherst, Cheektowaga, and Tonawanda, and the cities of Buffalo and Lackawanna, in *Erie County;* towns of Columbia, Danube, Fairfield, Frankfort, German Flats, Herkimer, Litchfield, Little Falls, Manheim, Newport, Salisbury, Schuyler, Stark, Warren, and Winfield, and the city of Little Falls, in *Herkimer County;* town of Watertown and city of Watertown, in *Jefferson County;* town of Mount Morris and village of Mount Morris, in *Livingston County;* city of Rochester, towns of Brighton and Pittsford, and village of East Rochester, in *Monroe County;* town of Manchester, in *Ontario County;* towns of Catharine, Cayuta, Dix, Hector, Montour, and Reading, and the borough of Watkins Glen, in *Schuyler County;* towns of Caton, Corning, Erwin, Hornby, and Hornellsville, and the cities of Corning and Hornell, in *Steuben County;* towns of Caroline, Danby, Dryden, Enfield, Ithaca, Newfield, and the city of Ithaca, in *Tompkins County;* towns of Luzerne and Queensbury and the city of Glens Falls, in *Warren County.*

Ohio.—Counties of Belmont, Carroll, Columbiana, Cuyahoga, Guernsey, Harrison, Jefferson, Mahoning, Medina, Portage, Stark, Summit, Tuscarawas, and Wayne; the city of Coshocton, in *Coshocton County;* the city of Columbus, and

villages of Bexley, Grandview, Grandview Heights, Hanford, Marble Cliff, and Upper Arlington, in *Franklin County;* townships of Kirtland, Mentor, and Willoughby, and the villages of Kirtland Hills, Lakeline, Mentor, Mentor-on-the-Lake, Waite Hill, Wickliffe, Willoughby, and Willowick, in *Lake County;* the township of Newark and city of Newark, in *Licking County;* the city of Toledo, in *Lucas County;* the township of Madison and the city of Mansfield, in *Richland County;* townships of Bazetta, Braceville, Brookfield, Champion, Fowler, Hartford, Howland, Hubbard, Liberty, Lordstown, Newton, Southington, Warren, Weathersfield, and Vienna, the cities of Niles and Warren, and the villages of Cortland, Girard, Hubbard, McDonald, Newton Falls, and Orangeville, in *Trumbull County.*

Pennsylvania.—The entire State except the townships of Athens, Beaver, Bloomfield, Cambridge, Conneaut, Cussewago, East Fairfield, East Fallowfield, East Mead, Fairfield, Greenwood, Hayfield, North Shenango, Pine, Randolph, Richmond, Rockdale, Sadsbury, South Shenango, Spring, Steuben, Summerhill, Summit, Troy, Union, Venango, Vernon, Wayne, West Fallowfield, West Mead, West Shenango, and Woodcock, the boroughs of Blooming Valley, Cambridge Springs, Cochranton, Conneaut Lake, Conneautville, Geneva, Linesville, Saegerstown, Springboro, Townville, Venango, and Woodcock, in *Crawford County;* the townships of Amity, Conneaut, Elk Creek, Fairview, Franklin, Girard, Greene, Greenfield, Harborcreek, Lawrence Park, Le Boeuf, McKean, North East, Springfield, Summit, Union, Venango, Washington, and Waterford, and the boroughs of Albion, Cranesville, East Springfield, Edinboro, Fairview, Girard, Middleboro, Mill Village, North East, North Girard, Platea, Union City, Waterford, Wattsburg, and Wesleyville, in *Erie County;* the townships of Deer Creek, Delaware, Fairview, French Creek, Greene, Hempfield, Lake, Mill Creek, New Vernon, Otter Creek, Perry, Pymatuning, Salem, Sandy Creek, Sandy Lake, South Pymatuning, Sugar Grove, and West Salem, and the boroughs of Clarksville, Fredonia, Greenville, Jamestown, New Lebanon, Sandy Lake, Sheakleyville, and Stoneboro, in *Mercer County.*

Rhode Island.—The entire State.

Vermont.—Counties of Bennington, Rutland, Windham, and Windsor; and the town of Burlington, in *Chittenden County.*

Virginia.—Counties of Accomac, Arlington, Culpeper, Elizabeth City, Fairfax, Fauquier, Henrico, Loudoun, Norfolk, Northampton, Prince William, Princess Anne, and Stafford; magisterial districts of Bermuda, Dale, Manchester, and Matoaca, in *Chesterfield County;* town of Emporia, in *Greensville County;* magisterial district of Sleepy Hole, in *Nansemond County;* village of Schoolfield, in *Pittsylvania County;* magisterial districts of Hampton, Jackson, and Wakefield, in *Rappahannock County;* magisterial district of Courtland, in *Spotsylvania County;* town of Front Royal, in *Warren County;* magisterial district of Newport, in *Warwick County;* magisterial district of Washington, in *Westmoreland County;* and the cities of Alexandria, Charlottesville, Danville, Fredericksburg, Hampton, Newport News, Norfolk, Petersburg, Portsmouth, Richmond, South Norfolk, Suffolk, and Winchester.

West Virginia.—Counties of Brooke, Hancock, Harrison, Jefferson, Marion, Monongalia, Ohio, and Taylor; magisterial districts of Arden, Falling Waters, Hedgesville, and Opequon and the city of Martinsburg, in *Berkeley County;* the city of Charleston, in *Kanawha County;* magisterial districts of Sand Hill, Union, Washington, and Webster, in *Marshall County;* town of Keyser and magisterial district of Frankfort, in *Mineral County;* magisterial district of Lincoln, in *Tyler County;* town of Paden City, in *Tyler and Wetzel Counties;* and the city of Parkersburg, and magisterial districts of Lubeck and Tygart, in *Wood County.*

Changes in Regulated Areas

§ 301.48–4. *Extension or reduction of regulated areas.*—The regulated areas designated in § 301.48–3 may be extended or reduced as may be found advisable by the Secretary of Agriculture. Due notice of any extension or reduction and the areas affected thereby will be given in writing to the transportation companies doing business in or through the States in which such areas are located and by publication in one or more newspapers selected by the Secretary of Agriculture within the States in which the areas affected are located.

Movement of Fruits and Vegetables

§ 301.48–5. *Restrictions on the movement of fruits and vegetables.*—(a) *Control of movement.*—(1) Unless a certificate shall have been issued therefor, by an

inspector, except as provided in subdivisions (i) to (iv), inclusive, of this section, no fruits or vegetables of any kind shall be moved interstate via refrigerator car or motortruck from any of the areas listed below to or through any point outside the regulated areas:

Delaware.—The entire State.

District of Columbia.—The entire District.

Maryland.—Counties of Baltimore, Cecil, Harford, Kent, Queen Annes, Somerset, and Worcester; election districts Nos. 3, 4 and 5, in *Anne Arundel County*; the city of Baltimore; all of *Caroline County* except election districts of American Corners (No. 8), and Hillsboro (No. 6); election districts of Cambridge (No. 7), East New Market (No. 2), Hurlock (No. 15), and Williamsburg (No. 12), in *Dorchester County*; election districts of Elk Ridge (No. 1), and Ellicott City (No. 2), in *Howard County*; election districts of Camden (No. 13), Delmar (No. 11), Dennis (No. 6), Fruitland (No. 16), Nutters (No. 8), Parsons (No. 5), Pittsburg (No. 4), Salisbury (No. 9), Trappe (No. 7), and Willard (No. 14), and the town of Salisbury, in *Wicomico County.*

New Jersey.—Counties of Atlantic, Burlington, Camden, Cape May, Cumberland, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Ocean, Salem, Somerset, and Union; townships of Lodi, Lyndhurst, Overpeck, Rochelle Park, Saddle River, and Teaneck, the cities of Englewood, Garfield, and Hackensack, and the boroughs of Bogota, Carlstadt, Cliffside Park, East Paterson, East Rutherford, Edgewater, Englewood Cliffs, Fair Lawn, Fairview, Fort Lee, Glenn Rock, Hasbrouck Heights, Leonia, Little Ferry, Lodi, Maywood, Moonachie, North Arlington, Palisades Park, Ridgefield, Rutherford, Teterboro, Wallington, and Wood Ridge, in *Bergen County*; townships of Chatham, Chester, Denville, East Hanover, Hanover, Harding, Menham, Morris, Morristown, Parsippany-Troy Hills, Passaic, Randolph, and Washington, and the boroughs of Chatham, Florham Park, Madison, Mendham, and Morris Plains, in *Morris County*; township of Little Falls, the cities of Clifton, Passaic, Paterson, and the boroughs of Haledon, Hawthorne, North Haledon, Prospect Park, Totowa, and West Paterson, in *Passaic County*; townships of Franklin, Greenwich, Lopatcong, Mansfield, Phillipsburg, Pohatcong, and Washington, and the boroughs of Alpha and Washington, in *Warren County.*

Pennsylvania.—Counties of Bucks, Chester, Delaware, Lancaster, Montgomery, and Philadelphia; all of *Berks County* except the townships of Albany, Bethel, Centre, Greenwich, Jefferson, Marion, North Heidelberg, Penn, Perry, Tilden, Tulpehocken, Upper Bern, Upper Tulpehocken, and Windsor, and the boroughs of Bernville, Centreport, Hamburg, Lenhartsville, Shoemakersville, Strausstown, and West Leesport; townships of Lower Allen and Upper Allen, and boroughs of Lemoyne, Mechanicsburg, and New Cumberland, in *Cumberland County;* townships of Londonderry, Lower Paxton, Lower Swatara, Susquehanna, and Swatara, the city of Harrisburg, and the boroughs of Highspire, Middletown, Paxtang, Penbrook, Royalton, and Steelton, in *Dauphin County;* all of *Lehigh County* except the townships of Heidelberg, Lowhill, Lynn, Washington, and Weisenberg, and borough of Slatington; all of *Northampton County* except the townships of Bushkill, Lehigh, Moore, Plainfield, Upper Mount Bethel, and Washington, and boroughs of Bangor, Chapman, East Bangor, Pen Argyl, Portland, Roseto, Stockertown, Walnutport, and Wind Gap; and the townships of Chanceford, Conewago, East Hopewell, East Manchester, Fairview, Fawn, Hellam, Hopewell, Lower Chanceford, Lower Windsor, Manchester, Newberry, Peach Bottom, and Springetsbury, the city of York, and the boroughs of Cross Roads, Delta, East Prospect, Fawn Grove, Goldsboro, Hallam, Lewisberry, Manchester, Mount Wolf, North York, Stewartstown, Wrightsville, Yorkana, and York Haven, in *York County.*

Virginia.—Counties of Accomac, Arlington, and Northampton.

Provided, That shipments of fruits and vegetables moving interstate from the area specified in paragraph (a) (1) of this section to other points in the regulated area and subsequently diverted to points outside the regulated area, shall be regarded as direct shipments from the points of origin. As such they require certification:

Provided further, That the Chief of the Bureau of Entomology and Plant Quarantine may by administrative instructions extend or reduce the areas specified in this section when in his judgment such action is considered advisable.

(i) No restrictions are placed on the interstate movement of fruits and vegetables between October 16 and June 14, inclusive, except that in the case of movement interstate from the following areas, the exemption applies only during the period from October 16 to May 31, inclusive:

Virginia.—The counties of Accomac and Northampton.

(ii) No certificate or permit will be required for the interstate movement of fruits and vegetables when transported by a common carrier on a through bill of lading either from a point outside the area designated in this section through that area to another outside point, or from the area designated in this section through a nonregulated area to another regulated area, except that a certificate is required for interstate movement from the area specified in paragraph (a) (1) of this section to Toledo, Ohio, and Charlottesville and Winchester, Va.

(iii) No restrictions are placed on the interstate movement of fruits and vegetables when they shall have been manufactured or processed in such a manner that in the judgment of the inspector no infestation could be transmitted.

(iv) No restrictions are placed on the interstate movement of fruits and vegetables from the area listed in paragraph (a) (1) of this section to the remainder of the regulated area, other than as specified in subdivision (ii) of this section.

(b) *Conditions of certification.*—Certificates may be issued for the interstate movement of fruits and vegetables between June 15 and October 15, inclusive (or between June 1 and October 15, inclusive, when consigned from Accomac County or Northampton County, Va.) under one of the following conditions:

(1) When the fruits and vegetables moving by motortruck have actually been inspected by the United States Department of Agriculture and found free from infestation. The number of inspection points for such certification will be limited and their location determined by shipping needs and further conditioned on the establishment at such points of provisions satisfactory to the inspector for the handling and safeguarding of such shipments during inspection. Such inspection may be discontinued and certification withheld by the inspector during periods of general or unusual flight of the beetles.

(2) When the fruits and vegetables have been handled or treated under the observation of an inspector in manner and by method to free them from any infestation.

(3) When the fruits and vegetables have originated outside the areas designated in this section, and are to be reshipped directly from freight yards, transfer points, or unloading docks within such areas, under provisions satisfactory to the inspector for safeguarding of such shipments pending certification and reshipment. Certificates on this basis will be issued without inspection only in cases where, in the judgment of the inspector, the shipments concerned have not been exposed to infestation while within such freight yards, transfer points, or unloading docks.

(4) When the fruits and vegetables were grown in districts where the fact has been established to the satisfaction of the inspector that no infestation exists and are to be shipped directly from the farms where grown to points outside the areas designated in paragraph (a) (1) of this section, or are shipped from infested districts where the fact has been established to the satisfaction of the inspector that the Japanese beetle has not begun or has ceased its flight.

(5) When the fruits and vegetables moving via refrigerator car from the area designated in this section have been inspected and loaded in a manner to prevent infestation, in a refrigerator car with closed or adequately screened doors and hatches, which car prior to loading has been determined by an inspector as fumigated or thoroughly swept and cleaned by the common carrier in a manner to rid it of infestation. During the interval between fumigation or cleaning and loading, such refrigerator car must be tightly closed and sealed. (For further requirements on the cleaning of refrigerator cars, see § 301.48–13.)

(6) When the fruits and vegetables moving via refrigerator car from the area designated in this section have been fumigated in the car, when deemed necessary in the judgment of the inspector, and when the doors and hatches of the car have been tightly closed or adequately screened under the supervision of an inspector.

Movement of Nursery and Ornamental Stock

§ 301 48–6. *Restrictions on the movement of nursery and ornamental stock.*—(a) *Control of movement.*—Nursery and ornamental stock as defined in § 301.48–1 shall not be moved interstate from the regulated areas to or through any point outside thereof, unless a certificate or permit shall have been issued therefor by the inspector except as follows:

(1) The following articles, because of their growth or production, or their manufactured or processed condition, are considered innocuous as carriers of infestation and are, therefore, exempt from the requirements of certification.

(i) True bulbs, corms, and tubers, when dormant, except for storage growth, and when free from soil; and single dahlia tubers or small dahlia root divisions

when free from stems, cavities, and soil. Dahlia tubers, other than single tubers or small root divisions meeting these conditions, require certification.

(ii) Cut orchids; orchid plants when growing exclusively in Osmunda fiber; Osmunda fiber, Osmundine, or orchid peat (*Osmunda cinnamomea* and *O. claytoniana*).

(iii) (*a*) Floral designs or "set pieces," including wreaths, sprays, casket covers, and all formal florists' designs; bouquets and cut flowers not so prepared are not exempted; (*b*) trailing arbutus, or Mayflower (*Epigaea repens*), when free from soil, and when shipped during the period between October 16 and June 14, inclusive.

(iv) (*a*) Herbarium specimens, when dried, pressed, and treated; (*b*) mushroom spawn, in brick, flakes, or pure culture form.

(v) (*a*) Sheet moss (*Calliergon schriberi* and *Thuridium recognitum*); (*b*) resurrection plant or bird's-nest moss (*Selaginella lepidophylla*); (*c*) sphagnum moss, bog moss, or peat moss (Sphagnaceae); (*d*) dyed moss.

(vi) Soil-free dried roots incapable of propagation.

(vii) Soil-free rooted cuttings.

(2) No restrictions are placed on the interstate movement of nursery and ornamental stock imported from foreign countries when reshipped from the port of entry in the unopened original container and labeled as to each container with a copy certificate of the country from which it was exported, a statement of the general nature and quantity of the contents, the name and address of the consignee, and the country and locality where grown.

(3) No restrictions are placed on the interstate movement of soil-free aquatic plants, and of portions of plants without roots and free from soil, except that a certificate is required during the period June 15 to October 15, inclusive (or between June 1 and October 15, inclusive, when consigned from Accomac County or Northampton County, Va.), for the movement of cut flowers from the area designated in § 301.48–5 interstate to points outside the regulated areas (§ 301.48–3).

(4) No certificate or permit will be required for the interstate movement of nursery and ornamental stock when transported by a common carrier on a through bill of lading either from an area not under regulation through a regulated area, or from a regulated area through a nonregulated area to another regulated area.

(b) *Conditions governing the issuance of certificates and permits.*—For the purpose of certification of nursery and ornamental stock, nurseries, greenhouses, and other premises concerned in the movement of such stock will be classified as follows:

(1) *Class I.*—Nurseries, greenhouses, and other premises concerned in the movement of nursery and ornamental stock on or within approximately 500 feet of which no infestation has been found may be classified as class I. Upon compliance with the requirements of paragraph (b) (7) of this section nursery and ornamental stock may be certified by the inspector for shipment from such premises without further inspection, and without meeting the safeguards prescribed as a condition of interstate shipment of plants originating in nurseries or greenhouses of class III.

(2) *Class III.*—(i) Nurseries, greenhouses, and other premises concerned in the movement of nursery and ornamental stock on which either grubs in the soil or one or more beetles have been found, will be classified as class III, provided there are maintained on the premises subdivided class I areas, certified houses, frames, or plots or other certified areas. Such classification will not be granted to nurseries, greenhouses, and other premises that do not maintain certified or subdivided areas and require only infrequent certification. Such classification also may be given to nurseries, etc., where one or more beetles or grubs are found in the immediate proximity (within approximately 500 feet) of such nurseries, etc., on adjacent property or properties. In the case of nursery properties under single ownership and management but represented by parcels of land widely separated, such parcels may be independently classified either as class I or class III upon compliance with such conditions and safeguards as shall be required by the inspector. Similarly, unit nursery properties, which would otherwise fall in class III, may be open to subdivision, for the purpose of rating such subdivisions in classes I or III, when in the judgment of the inspector such action is warranted by scanty infestation limited to a portion of the nursery concerned: *Provided*, That the subdivision containing the infestation shall be clearly marked by boundaries of a permanent nature which shall be approximately 500 feet beyond the point where the infestation occurs.

(ii) Upon compliance with paragraphs (b) (3), (6), and (7) of this section, nursery and ornamental stock may be certified by the inspector for shipment from such premises under any one of the following conditions: (*a*) That the roots shall be treated by means approved by the Bureau of Entomology and Plant Quarantine in manner and by method satisfactory to the inspector; or (*b*) in the case of plants in which the root system is such that a thorough inspection may be made, that the soil shall be entirely removed from the stock by shaking or washing; or (*c*) that it shall be shown by evidence satisfactory to the inspector that the plants concerned were produced in a certified greenhouse.

(3) Greenhouses of class III may be certified upon compliance with all the following conditions with respect to the greenhouses themselves and to all potting beds, heeling-in areas, hotbeds, coldframes, and similar plots:

(i) Ventilators, doors, and all other openings in greenhouses or coldframes on premises in class III shall be kept screened in manner satisfactory to the inspector during the period of flight of the beetle, namely, south of the northern boundaries of Maryland and Delaware between June 1 and October 1, inclusive, or north thereof between June 15 and October 15, inclusive.

(ii) Prior to introduction into nurseries or greenhouses, sand, if contaminated with vegetable matter, soil, earth, peat, compost, or manure taken from infested locations or which may have been exposed to infestation, must be sterilized or fumigated under the direction and supervision of, and in manner and by method satisfactory to, the inspector. If such sand, soil, earth, peat, compost, or manure is not to be immediately used in such greenhouses, it must be protected from possible infestation in manner and by method satisfactory to the inspector.

(iii) All potted plants placed in certified greenhouses of class III and all potted plants to be certified for interstate movement therefrom (*a*) shall be potted in certified soil; (*b*) shall, if grown outdoors south of the northern boundaries of Maryland and Delaware at any time between June 1 and October 1, inclusive, or north thereof at any time between June 15 and October 15, inclusive, be kept in screened frames while outdoors; (*c*) shall, if grown outdoors during any part of the year, be placed in beds in which the soil or other material shall have been treated in manner and by method approved by the Bureau of Entomology and Plant Quarantine to eliminate infestation; and (*d*) shall comply with such other safeguards as may be required by the inspector.

(4) Cut flowers may be certified for movement either (i) when they have been inspected by an inspector and found free from infestation, or (ii) when they have been grown on a class I establishment or in a certified greenhouse of class III and are transported under such safeguards as will in the judgment of the inspector prevent infestation. (See also paragraph (a) (3) of this section.)

(5) Nursery and ornamental stock originating on or moved from unclassified premises may be certified by the inspector under either one of the following conditions: (i) That the soil shall be entirely removed from the stock, or (ii) that the roots shall be treated by means approved by the Bureau of Entomology and Plant Quarantine in manner and by method satisfactory to the inspector, or (iii) that it shall be shown by evidence satisfactory to the inspector that the accompanying soil was obtained at such points and under such conditions that in his judgment no infestation could exist therein.

(6) Nurserymen, florists, dealers, and others, in order to maintain a class III status, shall report immediately on forms provided for that purpose all their sales or shipments of nursery and ornamental stock, sand, if contaminated with vegetable matter, soil, earth, peat, compost, and manure both to points outside the regulated areas and to other classified nurseries or greenhouses within the regulated area. Certification may be denied to any person who has omitted to make the report required by this section, and such denial of certification shall continue until the information so omitted has been supplied.

(7) Nurserymen, florists, dealers, and others, in order to maintain a class I status, or to maintain in a class III establishment, a class I subdivision, a certified plot, or a certified greenhouse, (i) shall restrict their purchases or receipts of nursery and ornamental stock, sand, if contaminated with vegetable matter soil, earth, peat, compost, and manure, secured within the regulated area and intended for use on class I or certified premises, to articles which have been certified under these regulations as to each such article and the said certificate shall accompany the article when moved; (ii) shall obtain approval of the inspector before such articles are received on class I or certified premises or are taken into certified greenhouses; (iii) shall report immediately in writing all purchases or receipts of such articles secured from within the regulated area for

use on such premises; and (iv) shall also report immediately on forms provided for that purpose all their sales or shipments of such articles both to points outside the regulated areas and to other classified nurseries or greenhouses within the regulated areas. Certification may be denied to any person who has omitted to make the report or reports required by this section, and such denial of certification shall continue until the information so omitted has been supplied.

(8) Nursery and ornamental stock imported from foreign countries and not reshipped from the port of entry in the unopened original container may be certified for movement under these regulations when such stock has been inspected by an inspector and found free from infestation.

(9) Nursery and ornamental stock originating outside the regulated areas and certified stock originating in classified nurseries or greenhouses may be certified for reshipment from premises other than those on which they originated, under provisions satisfactory to the inspector for the safeguarding of such stock from infestation at the point of reshipment and en route and when found advisable by the inspector after reinspection and determination of freedom from infestation.

Movement of Soil and Similar Materials

§ 301.48-7. *Restrictions on the movement of sand, soil, earth, peat, compost, and manure.*—(a) *Control of movement.*—Sand, soil, earth, peat, compost, and manure shall not be moved interstate from any point in the regulated areas to or through any point outside thereof unless a certificate or permit shall have been issued therefor by the inspector, except as follows:

(1) No restrictions are placed on the interstate movement of (i) fresh manure; (ii) sand and clay when free from vegetable matter; (iii) greensand marl; and (iv) such other sands and clays as have been treated or processed and subsequently handled in such manner that in the judgment of the inspector no Japanese beetle could exist therein.

(2) No restrictions are placed on the *interstate movement of manure, peat, compost, or humus* (i) *when dehydrated, shredded, ground, pulverized, or compressed, or* (ii) *when treated with crude petroleum or any other product having high potency as an insecticide.*

(3) No restrictions are placed on the interstate movement of sand, soil, earth, peat, compost, and manure imported from foreign countries when reshipped from the port of entry in the unopened original container and labeled as to each container with the country of origin, and when the shipment is further protected in manner or method satisfactory to the inspector.

(4) No certificate will be required for the interstate movement of sand, soil, earth, peat, compost, and manure when transported by a common carrier on a through bill of lading either from an area not under regulation through a regulated area, or from a regulated area through a nonregulated area to another regulated area.

(b) *Conditions of certification.*—Certificates for the movement of restricted sand, soil, earth, peat, compost, and manure may be issued under any one of the following conditions:

(1) When the articles to be moved have originated in districts included in the regulated area, but in which neither beetles nor grubs in soil have been found.

(2) When the material consists of mined, dredged, or other similar materials, and it has been determined by an inspector that no infestation could exist therein.

(3) When the material has been removed, under the supervision of an inspector, from a depth of more than 12 inches below the surface of the ground and either (i) is to be moved between October 16 and June 14, inclusive, or (ii) is loaded and shipped at points where it has been determined by an inspector that no general infestation of adult beetles exists, or (iii) when the cars and loading operations are protected by screening under the direction of and in manner and by method satisfactory to the inspector.

(4) When the material has been fumigated with carbon disulfide or otherwise treated under the supervision of and in manner and by method satisfactory to the inspector. Such fumigation or treatment will be required as a condition of certification of all restricted sand, soil, earth, peat, compost, and manure, except such as is loaded and shipped in compliance with subparagraphs (1), (2), or (3) of this paragraph.

Protection of Articles in Transit

§ 301.48-8. *Conditions governing the protection of restricted articles from infestation while in transit.*—Fruits and vegetables, nursery and ornamental stock,

and sand, soil, earth, peat, compost, and manure, moving interstate from or through the regulated areas to points outside thereof between June 15 and October 15, inclusive, shall at all times while they are in the regulated areas be screened, covered, or otherwise protected in manner or method satisfactory to the inspector for safeguarding the articles from infestation.

Trucks or other road vehicles transporting restricted articles may be sealed by the inspector at the point of inspection, and all such seals shall remain intact as long as the vehicle is en route within the regulated area.

Marking and Certification

§ 301.48–9. *Marking and certification a condition of interstate transportation.*—(a) Every box, basket, or other container of restricted articles listed in §§ 301.48–5, 6, and 7 shall be plainly marked with the name and address of the consignor and the name and address of the consignee, and shall have securely attached to the outside thereof a valid certificate or permit issued in compliance with these regulations. In the case of lot shipments by freight, one certificate attached to one of the containers and another certificate attached to the waybill will be sufficient.

(b) In the case of bulk carload shipments by rail, the certificate shall accompany the waybill, conductor's manifest, memorandum, or bill of lading pertaining to such shipment, and in addition each car shall have securely attached to the outside thereof a placard showing the number of the certificate or certificates accompanying the waybill.

(c) In the case of shipment by road vehicle, the certificates shall accompany the vehicle.

(d) Certificates shall be surrendered to the consignee upon delivery of the shipment.

Procedure for Applicants

§ 301.48–10. *General conditions governing inspection and issuance of certificates and permits.*—(a) Persons intending to move interstate any of the articles the movement of which is restricted in §§ 301.48–5, 6, and 7 shall make application for inspection and certification as far as possible in advance of the probable date of shipment, specifying in the application the article and quantity to be shipped, method of shipment, name and address of the consignor, and name and address of the consignee.

(b) Applicants for inspection will be required to assemble the articles at such points as the inspector shall designate and so to place them that inspection may readily be made; if not so placed, inspection may be refused. All charges for storage, cartage, and labor incident to inspection, other than the services of the inspector, shall be paid by the shipper.

(c) Certificates and permits shall be used in connection with the transportation of only those articles intended to be covered thereby.

(d) Where the apparent absolute freedom from infestation of any of the articles enumerated cannot be determined by the inspector, certification will be refused.

(e) Permits may be issued for the interstate movement of restricted articles by truck or other road vehicle from a regulated area through a nonregulated area to another regulated area, except for the movement of fruits and vegetables as specified in paragraph (a) (1) (ii) of § 301.48–5.

Certificates May Be Canceled

§ 301.48–11. *Cancelation of certificates.*—Certificates issued under these regulations may be withdrawn or canceled by the inspector and further certification refused, either for any failure of compliance with the conditions of these regulations or violation of them, or whenever in the judgment of the inspector the further use of such certificates might result in the dissemination of infestation.

Shipments Inspected En Route

§ 301.48–12. *Inspection in transit.*—Any car, vehicle, basket, box, or other container moved interstate or offered to a common carrier for shipment interstate, which contains or which the inspector has probable cause to believe contains either infestations, infested articles, or articles the movement of which is restricted by these regulations, shall be subject to inspection by an inspector at any time or place, and when actually found to involve danger of dissemination

of Japanese beetle to uninfested localities, measures to eliminate infestation may be required as a condition of further transportation or delivery.

Cleaning of Vehicles

§ 301.48–13. *Thorough cleaning required of trucks, wagons, cars, boats, and other vehicles and containers before moving interstate.*—Trucks, wagons, cars, boats, and other vehicles and containers which have been used in transporting any article covered by these regulations within the regulated areas shall not thereafter be moved interstate until they have been thoroughly swept and cleaned by the carrier at a point within the regulated area. Refrigerator cars originating in the area designated in § 301.48–5 into which fruits or vegetables are to be loaded for interstate movement from any regulated area shall be thoroughly swept or cleaned or fumigated prior to loading as may be required by the inspector.

Articles for Experimental and Scientific Purposes

§ 301.48–14. *Shipments for experimental and scientific purposes.*—Articles subject to restriction in these regulations may be moved interstate for experimental or scientific purposes, on such conditions and under such safeguards as may be prescribed by the Bureau of Entomology and Plant Quarantine. The container of articles so moved shall bear, securely attached to the outside thereof, an identifying tag from the Bureau of Entomology and Plant Quarantine showing compliance with such conditions.

Done at Washington, D. C., this 20th day of March 1942.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL]

CLAUDE R. WICKARD,
Secretary of Agriculture.

APPENDIX

PENALTIES

The Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161), provides that no person shall ship or offer for shipment to any common carrier, nor shall any common carrier receive for transportation or transport, nor shall any person carry or transport from any quarantined State or Territory or District of the United States or from any quarantined portion thereof, into or through any other State or Territory or District, any class of nursery stock or any other class of plants, fruits, vegetables, roots, bulbs, seeds * * * or any other article * * * specified in the notice of quarantine * * * in manner or method or under conditions other than those prescribed by the Secretary of Agriculture. It also provides that any person who shall violate any of the provisions of this act, or who shall forge, counterfeit, alter, deface, or destroy any certificate provided for in this act or in the regulations of the Secretary of Agriculture shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding $500, or by imprisonment not exceeding 1 year, or both such fine and imprisonment, in the discretion of the court.

STATE AND FEDERAL INSPECTION

Certain of the quarantined States have promulgated or are about to promulgate quarantine regulations restricting intrastate movement supplemental to the Federal quarantine. These State regulations are enforced in cooperation with the Federal authorities. Copies of either the Federal or State quarantine orders may be obtained by addressing the United States Department of Agriculture, 266 Glenwood Avenue, Bloomfield, N. J.

Subsidiary offices are maintained at the following locations:

Connecticut: Agricultural Experiment Station, 123 Huntington Street, New Haven, Conn.

Delaware: Room 210, New Post Office Building, Dover, Del.

Maryland:

2 Sherwood Avenue, Pikesville, Md.

Washington County Annex Building, Hagerstown, Md.

Room 205, New Post Office Building, Main Street, Salisbury, Md.

Massachusetts: 144 Woody Street, Waltham, Mass.
New Jersey:
Kotler Building, Main and High Streets, Glassboro, N. J.
P. O. Box 1, Trenton, N. J., or Yardville Road, White Horse, N. J.
New York:
Room 838, 641 Washington Street, New York, N. Y.
Room 200, 2507 James Street, Syracuse, N. Y.
Ohio: 21065 Euclid Avenue, Euclid, Ohio.
Pennsylvania:
Room 303, Post Office Building, Harrisburg, Pa.
6905 Torresdale Avenue, Philadelphia, Pa.
Room 438–K, New Post Office Building, Pittsburgh, Pa.
Virginia:
Room 217, New Federal Building, Granby Street and Brambleton Avenue, Norfolk, Va.
17 North Boulevard, Richmond, Va.
West Virginia: 245 West Philadelphia Avenue, Bridgeport, W. Va.

Arrangements may be made for inspection and certification of shipments from the District of Columbia by calling Republic 4142, branch 2598, inspection house of the Bureau of Entomology and Plant Quarantine, 224 Twelfth Street SW., Washington, D. C.

GENERAL OFFICES OF STATES COOPERATING

Department of Entomology, Agricultural Experiment Station, New Haven, Conn.
Board of Agriculture, Dover, Del.
State horticulturist, Augusta, Maine.
Department of Entomology, University of Maryland, College Park, Md.
Division of Plant Pest Control, Department of Agriculture, Statehouse, Boston, Mass.
Deputy commissioner, Department of Agriculture, Durham, N. H.
Bureau of Plant Industry, Department of Agriculture, Trenton, N. J.
Bureau of Plant Industry, Department of Agriculture and Markets, Albany, N. Y.
Division of Plant Industry, Department of Agriculture, Columbus, Ohio.
Bureau of Plant Industry, Department of Agriculture, Harrisburg, Pa.
Bureau of Entomology, Department of Agriculture, Statehouse, Providence, R. I.
Entomologist, Department of Agriculture, Montpelier, Vt.
Division of Plant Industry, Department of Agriculture and Immigration, Richmond, Va.
State entomologist, Department of Agriculture, Charleston, W. Va.

[Copies of the foregoing quarantine were sent to all common carriers doing business in or through the quarantined area.]

[Filed with the Division of the Federal Register March 23, 1942, 11:57 a. m.; 7 F. R. 2202.]

NOTICE TO GENERAL PUBLIC THROUGH NEWSPAPERS

UNITED STATES DEPARTMENT OF AGRICULTURE.
Washington, D. C., March 20, 1942.

Notice is hereby given that the Secretary of Agriculture, under authority conferred on him by the Plant Quarantine Act of August 20, 1912 as amended (7 U. S. C. 161), has promulgated a revision of the regulations of the Japanese beetle quarantine (Notice of Quarantine No. 48), effective on and after March 24, 1942. New areas brought within the regulated areas include parts or all of the counties of Allegany, Carroll, Frederick, Prince Georges, and Washington, Md., parts of Ontario and Monroe Counties, N. Y., Meadville, Pa., Charlottesville, Danville, Schoolfield, and Front Royal, Va., Paden City and one district in Tyler County, W. Va. The area from which the movement of fruits and vegetables by motor-truck or refrigerator car is regulated (§ 301.48-5) has been extended to include additional sections in Anne Arundel and Baltimore Counties, Md., and in Berks, Cumberland, Lehigh, Northampton, and York Counties, Pa. Charlottesville, Va., is added as an isolated regulated point to which such fruit and vegetable shipments may move only under certification. Restrictions on cut flowers are now confined to shipments from the heavily infested area interstate to points outside

the regulated areas. Soil-free rooted cuttings and fresh manure are exempt from certification. There are other slight modifications. Copies of the revised regulations may be obtained from the Bureau of Entomology and Plant Quarantine, United States Department of Agriculture, Washington.

CLAUDE R. WICKARD,
Secretary of Agriculture.

[The above notice was published in the following newspapers: The Times, Hartford, Conn., March 31, 1942; the Evening Journal, Wilmington, Del., March 30, 1942; The Evening Star, Washington, D. C., March 30, 1942; the Press-Herald Portland, Maine, March 31, 1942; the Baltimore Sun, Baltimore, Md., March 30, 1942; the Post, Boston, Mass., March 30, 1942; the Union, Manchester, N. H., March 31, 1942; the News, Newark, N. J., March 30, 1942; the Times, New York, N. Y., March 30, 1942; the Press, Cleveland, Ohio, March 30, 1942; the Bulletin, Philadelphia, Pa., March 28, 1942; the Bulletin, Providence, R. I., March 30, 1942; the Free Press, Burlington, Vt., March 31, 1942; the News Leader, Richmond, Va., April 7, 1942; the Gazette, Charleston, W. Va., March 30, 1942.]

ANNOUNCEMENTS RELATING TO MEXICAN FRUITFLY QUARANTINE (NO. 64)

TEXAS CITRUS FRUIT HARVEST EXTENDED

[Press notice]

JANUARY 23, 1942.

Under a modification of the Mexican fruitfly Federal quarantine regulations announced today by the Department of Agriculture, the harvest season for oranges and grapefruit from the Texas counties of Brooks, Cameron, Hidalgo, and Willacy has been extended through May 31, for this year, provided conditions of infestation do not necessitate an earlier closing.

The harvest season normally closes, under the regulations, on April 30, except that the grapefruit harvest in the counties of Dimmit, LaSalle, and Webb ends with the last day of February. The harvest begins on September 1. The quarantine regulations require a fruit-free period between harvests to prevent fruitfly infestations in the lower Rio Grande Valley.

It is believed that no risk of infestation is involved in this modification, the Department said, as intensive inspection has resulted in finding no fruitflies in any stage of development. The longer harvest will, furthermore, provide a more orderly marketing of this year's large crop of oranges and grapefruit.

The area under regulation includes the Texas counties of Brooks, Cameron, Dimmit, Hidalgo, La Salle, Webb, Willacy, and part of Jim Wells County.

Extension of the harvest season, which became effective January 20, under administrative instructions of the Chief of the Bureau of Entomology and Plant Quarantine, was announced after consultation with the Texas State Department of Agriculture.

R. E. P. Q. 521. Effective January 20, 1942

TITLE 7—AGRICULTURE

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 301—DOMESTIC QUARANTINE NOTICES

MEXICAN FRUITFLY REGULATIONS MODIFIED—HARVESTING SEASON EXTENDED

§ 301.64-5d *Administrative instructions modifying the restrictions of the Mexican fruitfly quarantine by extending the harvesting season on oranges and grapefruit.* Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the third proviso of § 301.64, Chapter III, Title 7, Code of Federal Regulations [Notice of Quarantine No. 64], it having been determined by me that a modification may be safely made without increasing the risk of spread of the Mexican fruitfly, § 301.64-5 (a) [paragraph (a) of regulation 5 supplemental to this quarantine] is hereby modified effective January 20, 1942, to extend the harvesting season for oranges and

grapefruit for the Texas counties of Brooks, Cameron, Hidalgo, and Willacy to the close of May 31 for the year 1942, provided conditions of infestation do not necessitate an earlier closing date.

The host-free period for oranges and grapefruit, under this modification, will begin June 1 and continue through August 31, 1942, inclusive, in the above-named counties.

In the counties of Dimmit, La Salle, and Webb, the grapefruit harvesting season closes on February 28, 1942, under the regulations, and the orange harvesting season closes on April 30 as to these three counties and the portion of Jim Wells County which is under regulation. No modification is made as to the harvesting seasons in these counties (7 C. F. R. § 301.64–5; sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C. 161).

Done at Washington, D. C., this 17th day of January 1942.

P. N. ANNAND,
Chief.

[Copies of foregoing instructions were sent to all common carriers doing business in or through the State of Texas.]

[Filed with the Division of the Federal Register January 20, 1942, 2:51 p. m.; 7 F. R. 444.]

B. E. P. Q. 503, Fourth Revision. Effective January 9, 1942.

ANNOUNCEMENT RELATING TO WHITE-FRINGED BEETLE QUARANTINE (NO. 72)

TITLE 7—AGRICULTURE

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 301—DOMESTIC QUARANTINE NOTICES

WHITE-FRINGED BEETLE ADMINISTRATIVE INSTRUCTIONS MODIFIED—TREATMENTS AUTHORIZED

Introductory note.—Recent investigational work has shown that it is possible to destroy all stages of the white-fringed beetles (*Pantomorus* spp.) in soil, with either carbon disulphide or methyl bromide applied as a liquid, provided the temperature of the soil is sufficiently high and the period of exposure is long enough. The administrative instructions in this circular, specifying the various authorized methods of treatment of plants in soil, and of potting soil, are therefore hereby revised by authorizing the above treatment for soil plots, plunging beds, and potting soil (see paragraph (c)).

All treatments apply to the various species of white-fringed beetles.

This circular supersedes all instructions in Circulars B. E. P. Q. 486, 489, and previous issues of 503.

§ 301.72–5c.[2] *Administrative instructions—Treatments authorized.*—Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by paragraph (*a*) of § 301.72–5, Chapter III, Title 7, Code of Federal Regulations [Regulation 5 of Notice of Quarantine No. 72 on account of the white-fringed beetle], the following methods of treatment are hereby authorized effective January 9, 1942, when carried out under the supervision of an authorized inspector of the United States Department of Agriculture.

(a) *Plants in pots or in soil balls.*

(1) *Methyl bromide fumigation at atmospheric pressures.*—(i) Fumigation must be done with methyl bromide at a dosage of 1 pound per 1,000 cubic feet, including the space occupied by the plants, for a period of 4 hours, the soil masses and the air in the fumigation chamber to be at a temperature of not less than 85° F.

(ii) Such fumigation shall apply only to those plants in 3-inch pots or smaller, or in soil balls not greater than 3 inches in diameter when spherical or thicker than 3 inches if not spherical, and the plants shall be stacked on racks so that the gas mixture can have access to all sides of the pots or the soil balls.

(iii) The fumigation shall be done in a tight chamber with gas-tight doors.

(iv) After the chamber is loaded and closed, the appropriate amount of methyl bromide shall be volatilized therein, and the air-gas mixture shall be

[2] Superseding §§ 301.72–5a and b.

circulated by means of a fan or blower throughout the entire 4-hour fumigation period.

(v) The use of a fumigation chamber, lined with sheet metal throughout and with a metal-covered door closing against gaskets and held tightly in place by refrigerator door fasteners, is recommended.

(2) *Methyl bromide fumigation under partial vacuum.*—(i) Fumigation under partial vacuum equivalent to at least 24.5 inches of mercury must be done with a dosage of 4 pounds of methyl bromide per 1,000 cubic feet of chamber space, including the space occupied by the commodity, with an exposure of 1½ hours, the vacuum to be maintained throughout the entire period.

(ii) The temperature of the soil balls shall be 75° F. or above, and the diameter of the soil balls shall be not greater than 11 inches if spherical, or thicker than 11 inches if not spherical.

(iii) The fumigant-air mixture shall be circulated in the fumigation chamber by means of a fan the first 15 minutes of the exposure period to mix the vaporized fumigant thoroughly with the air in the chamber and bring it in contact with the surface of the soil balls. The soil balls shall be washed with one or more changes of air at the end of the exposure period.

(iv) A standard vacuum fumigation chamber which can be closed tight and will withstand an external pressure of at least one atmosphere is required. A vacuum pump of sufficient capacity to reduce the pressure within the vacuum chamber to the equivalent of 3 inches of mercury (a 27-inch vacuum at sea level) in not more than 20 minutes is necessary.

(3) *Methyl bromide solution.*—(i) *Treatment method.*—(Applicable to all regulated areas.)

(*a*) The soil balls around the roots of plants must be buried in sand and plunged in boxes or trays which are watertight and approximately 1 foot deep.

(*b*) A 2-inch space filled with sand shall be provided between the soil balls. also above and beneath them.

(*c*) Such soil balls shall be treated with a solution of methyl bromide and alcohol at a concentration of 0.3 percent methyl bromide and 0.6 percent denatured ethyl alcohol by volume in water. The solution is to be prepared by first mixing the methyl bromide and alcohol together and then adding this mixture to the water and mixing thoroughly.

(*d*) The aqueous solution of methyl bromide and alcohol shall then be applied evenly over the surface of the sand around the plants at the rate of 40 gallons per 100 square feet of surface area by means of a sprinkling can or sprayer.

(ii) *Type of material, exposure, and temperature.*

(*a*) In Orleans Parish, including the city of New Orleans, Saint Bernard Parish, and regulated parts of Jefferson and Plaquemines Parishes, La., the treatment shall be applied only to plants in soil balls not greater than 7 inches in diameter, nor greater than 7 inches in thickness when not spherical. After the required dosage has been applied, the soil balls shall remain embedded in the sand for a period of 8 hours. The temperature of the soil balls during the treatment shall not be lower than 65° F.

(*b*) In all regulated areas other than Orleans Parish, including the city of New Orleans, Saint Bernard Parish, and regulated parts of Jefferson and Plaquemines Parishes, La., the treatment shall be applied to soil balls not greater than 8 inches in diameter, nor greater than 8 inches in thickness when not spherical. After the required dosage has been applied, the soil balls shall remain embedded in the sand for a period of 6 hours. The temperature of the soil balls during the treatment shall not be lower than 62° F.

(b) *Potting soil.*

(1) *Carbon disulphide fumigation.*—(i) Potting soil shall be treated in a container with carbon disulphide at a dosage of 2 pounds per cubic yard of soil for a period of 48 hours.

(ii) The grade of carbon disulphide shall be comparable to U. S. P. grade having a specific gravity of 1.25 at 68° F.

(iii) The container shall be tight, preferably lined with sheet metal, and shall have a tight cover or be covered with a tarpaulin immediately after the fumigant is applied. The container shall not be more than 36 inches deep.

(iv) The soil shall be friable, and wet soil shall not be treated by this method. The fumigant shall be applied to the soil in holes 3 inches deep, the dosage to be evenly divided among holes 1 foot apart over the surface of the soil, and the fumigant shall be covered with soil as soon as it is applied.

(v) The temperature of the soil shall not be lower than 40° F. during the entire time of treatment.

(vi) The condition of the soil and the apparatus used and the method of application of the fumigant must meet with the approval of an authorized inspector of the United States Department of Agriculture.

(2) *Methyl bromide fumigation.*—(i) Potting soil must be treated in a container with methyl bromide in a dosage of 40 cubic centimeters of methyl bromide per cubic yard of soil for a period of 48 hours.

(ii) The sides, bottom, and seams of the container shall be tight, preferably lined with sheet metal, and shall have a tight cover or be covered with a tarpaulin immediately after the fumigant is applied.

(iii) The temperature of the soil shall not be lower than 40° F. during the entire time of treatment.

(iv) The condition of the soil and the apparatus used and the method of application of the fumigant must meet the approval of an authorized inspector of the United States Department of Agriculture.

(3) *Heat treatment.*—(i) Live steam, under pressure of 80 pounds or more per square inch, shall be applied through a grid of perforated pipes at the bottom of the sterilizing box or truck body containing the soil, for a period of 45 minutes or until all parts of the load reach a temperature of 200° F.

(ii) The grids shall be constructed of 1-inch pipes, perforated with holes $\frac{1}{8}$ inch in diameter on the upper side and connecting at one end to a manifold into which the steam is introduced.

(iii) The layer of soil in the sterilizing box shall not be more than 2 feet, 6 inches deep.

(4) *Methyl bromide and carbon disulphide.*—(See instructions in paragraph (c).)

(c) *Soil plots, plunging beds, and potting soil.*

(1) *Methyl bromide.*—(i) Inject the liquid methyl bromide into the soil at a depth of 6 inches by means of a hollow needle or other suitable injector at the rate of 4.7 milliliters per square foot or 7 milliliters per 1½ square feet of soil surface.

(ii) After treatment has been applied to the plot the soil should be covered with 10- or 15-pound building paper, lapped 4 inches and weighted down so that it will not be blown off.

(iii) The soil must be at a temperature not lower than 45° F. at a depth of 6 inches when the treatment is applied. At temperatures from 45° to 62° inclusive the soil must be kept covered for a period of 6 days to insure complete mortality of all eggs, larvae, pupae, and adults of the insect which may be present in the soil under treatment. At temperatures above 62° the soil must be kept so covered for a period of not less than 4 days.

(2) *Carbon disulphide.*—(i) The insecticide shall be applied at the rate of 33 milliliters per square foot of soil surface, the liquid to be poured into holes at least 6 inches deep and 1 inch in diameter at the top, and covered immediately with earth.

(ii) After application the plot should be covered with 10- to 15-pound building paper which shall remain in position for at least 4 days in order to insure complete mortality of any eggs, larvae, pupae, or adults of white-fringed beetles that may be present.

(iii) The treatment shall not be applied to soil which is below 80° F. in temperature at a depth of 6 inches.

(d) *Disclaimer.*—There has been opportunity to test these treatments on only relatively few varieties of plants and in authorizing the movement of potted plants, nursery stock, or soil treated according to the requirements stated above, it is understood that no liability shall attach either to the United States Department of Agriculture or to any of its employees in the event of injury to either plants or operators.

(e) *Caution.*—(1) *Methyl bromide.*—(i) Methyl bromide is a gas at ordinary temperatures. It is colorless and practically odorless in concentrations used for fumigation of plants or potting soil. It is a poison and the operators should use gas masks approved by the United States Bureau of Mines for use with methyl bromide, when exposed to the gas in concentrations used in fumigation, or while preparing the solution. The plants in the fumigation chamber should be well aerated by blowing air through them, and the room adequately ventilated before it is entered. After fumigating the potting soil by methyl bromide the cover should be removed and the soil allowed to become aerated.

(ii) The method for application of methyl bromide described in paragraph (c) provides a closed system in which the operator is not exposed to a dangerous concentration of the gas provided there is no leakage in any exposed portion of

the equipment. Extreme care should be exercised to keep all joints of such apparatus tight and replace any defective parts to prevent accident. The operator should avoid getting any liquid methyl bromide on his clothing or his body at any time.

(2) *Carbon disulphide.*

(i) The vapor of carbon disulphide is inflammable and explosive. At a temperature of 297° F. it may take fire spontaneously and in the presence of certain metals, particularly copper, it may ignite at considerably lower temperatures. It must be kept away from fire, and from hot objects such as electric light bulbs, unprotected brush-type motors, steam pipes, etc. Lighted cigars, cigarettes, or pipes must never be brought near carbon disulphide.

(ii) Carbon disulphide is a blood poison, but poisoning by this chemical is rare. Exposure to the vapor may cause giddiness and headache. When these symptoms develop, the individual should get into the open air.

(7 C. F. R., § 301.72–5; sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C. 161.)

Done at Washington, D. C., this 6th day of January 1942.

P. N. ANNAND,
Chief.

[Filed with the Division of the Federal Register January 13, 1942, 11:18 a. m.; 7 F. R. 239.]

MISCELLANEOUS ITEMS

WAKELAND TO HEAD DIVISION OF GRASSHOPPER CONTROL

[Press notice]

FEBRUARY 4, 1942.

The Department of Agriculture today announced creation of the Division of Grasshopper Control within the Bureau of Entomology and Plant Quarantine to supervise cooperative programs with the States in control of grasshoppers, Mormon crickets, and chinch bugs. Leader of the new division is Dr. Claude Wakeland, said Dr. P. N. Annand, Chief of the Bureau.

While programs of control for chinch bugs, Mormon crickets, and grasshoppers have been in operation for a number of years, this is the first time that the work has been unified under one division. Headquarters for this division will remain in Denver, Colo., where they have been since 1940. Doctor Wakeland, who has had field direction of the cooperative programs of grasshopper and Mormon cricket control since 1939, was born August 2, 1888, at LaJara, Colo. He attended public school in Denver, graduated from Colorado State College with a B. S. degree in 1914, received an M. S. from the same institution in 1924, and in 1934 received a Ph. D. from Ohio State University.

He started active work in entomology with the Colorado Agricultural Experiment Station. In 1920 he was appointed extension entomologist for the University of Idaho, and 1928 was made head of the Department of Entomology at that University.

In 1938 he was appointed to the Bureau of Entomology and Plant Quarantine as project leader on Mormon cricket control with headquarters in Salt Lake City, and the following year was made field director of the combined grasshopper and Mormon cricket control programs.

B. E. P. Q. 519, Supplement No. 1.

PLANT-QUARANTINE IMPORT RESTRICTIONS, REPUBLIC OF CUBA

MODIFICATION OF RESTRICTIONS AFFECTING BROOMCORN

FEBRUARY 23, 1942.

The Cuban Ministry of Agriculture, in Resolution No. 7, dated January 5, 1942, authorized for a period of 1 year from that date, the importation into Cuba of broomcorn (*Holcus*) plants and parts thereof, raw materials used in the manufacture of brooms, when accompanied by a phytosanitary certificate, issued by a competent official in the country of origin and legalized by a Cuban consul, stating that the product has been carefully selected and that it is free from *Pyrausta nubilalis* (European corn borer) and other insects. Importers will be required to vacuum fumigate their importations with hydrocyanic acid gas,

under the supervision of the Plant Quarantine Service, within 10 days after unloading.

Importations are exempt from these requirements when they comply with those of Article 7 of Decree No. 2745 (see page 5 of B. E. P. Q. 519).

P. N. ANNAND,
Chief, Bureau of Entomology and Plant Quarantine.

B. E. P. Q. 520.

PLANT-QUARANTINE IMPORT RESTRICTIONS, BURMA

JANUARY 13, 1942.

This summary of the plant-quarantine import restrictions of Burma has been prepared for the information of exporters of plants and plant products to that country and plant quarantine officials.

The text, which was prepared by Richard Faxon, District Supervisor, Certification for Export, Division of Foreign Plant Quarantines, consists of digests of notifications issued by the Agricultural Branch of the Department of Agriculture and Forests, Rangoon, Burma, on the following dates: December 16, 1940; January 15, February 28, April 24, and June 2, 1941. It was reviewed by the Secretary to the Government of Burma.

The information contained in this circular is believed to be correct and complete up to the time of preparation, but it is not intended to be used independently of, nor as a substitute for, the original texts, and it is not to be interpreted as legally authoritative.

P. N. ANNAND,
Chief, Bureau of Entomology and Plant Quarantine.

B. E. P. Q. 520.

PLANT-QUARANTINE IMPORT RESTRICTIONS, BURMA

BASIC LEGISLATION

JANUARY 13, 1942.

[DEPARTMENT OF AGRICULTURE AND FORESTS AGRICULTURAL BRANCH, RANGOON, BURMA. NOTIFICATION NO. 377, DECEMBER 16, 1940; NOTIFICATION NO. 13 (CORRIGENDUM), JANUARY 15, 1941; NOTIFICATION NO. 56, FEBRUARY 28, 1941; NOTIFICATION NO. 89, APRIL 24, 1941; NOTIFICATION NO. 141, JUNE 2, 1941.]

In accordance with the provisions of the Insects and Pests Act and in supersession of all previous orders, the Governor makes the following order for the purpose of prohibiting, regulating, and restricting the import into Burma of the articles hereinafter specified.

CONCISE SUMMARY

CERTIFICATE REQUIREMENTS

A Federal certificate is required with all plants, other than fruits and vegetables intended for consumption, in a prescribed form (page 6). (By definition, "plant" does not include seeds) (par. 5).

A certificate from the consignor and a Federal certificate in relation to potato wart disease are required with shipments of potatoes (par. 6).

A special certificate issued by the Entomologist, Burma, is required with plants used for the purpose of introducing parasitic insects into Burma (pars. 3 and 4).

Two certificates are required with importations of rubber plants (par. 7), citrus plants (par. 8), and unmanufactured tobacco (par. 9).

A special certificate is required with importations of sugarcane (par. 10).

IMPORTATION PROHIBITED

Cotton, unginned (par. 15 (1)).

Gram (chick pea, *Cicer arietinum*) (par. 16).

"Mexican jumping bean" (*Sebastiania palmeri*) (par. 12 (b)).

Sugarcane from the Fiji Islands, New Guinea, Australia, and the Philippine Islands (par. 10).

IMPORTATION RESTRICTED

Berseem (Egyptian clover) seeds (pars. 12 (a) and 14).
Citrus plants (par. 8).
Coffee plants, seeds, and beans (par. 13).
Cottonseed (pars. 12 (a) and 15 (2)).
Flaxseed (par. 12 (a)).
Hevea rubber plants and seeds (par. 11).
Potatoes (par. 6).
Rubber plants (par. 7).
Sugarcane from countries other than the Fiji Islands, New Guinea, Australia, and the Philippine Islands (par. 10).

IMPORTATION UNRESTRICTED

Fruits and vegetables intended for consumption.
Roasted or ground coffee (par. 13).

General Regulations

NOTIFICATION NO. 377

1. *Definitions.*—(i) "Official certificate" means a certificate granted by the proper officer or authority in the country of origin. (In the United States the U. S. Department of Agriculture has been designated by the Burmese authorities as the proper authority to issue such certificates.)
(ii) "Plant" means a living plant or part thereof, but does not include seeds.
(iii) All provisions referring to plants or seeds shall apply also to all packing material used in packing or wrapping such plants or seeds.

RESTRICTIONS ON MEANS OF TRANSPORTATION

2. No plant shall be imported into Burma by letter or parcel post, except sugarcane for planting intended to be grown under the personal supervision of the Deputy Director of Agriculture, East Central Circle, Pyinmana. (See also par 10.)
3. No plants shall be imported into Burma by air, except those used for the purpose of introducing living insects accompanied by a special certificate from the Entomologist, Burma, stating that the plants are imported for such purpose, and sugarcane for the Deputy Director of Agriculture, East Central Circle, Pyinmana, if the conditions of paragraph 10 are satisfied.

FUMIGATION REQUIRED

4. No plants, other than fruits and vegetables intended for consumption, potatoes, and unmanufactured tobacco, either raw or cured, shall be imported into Burma by sea, except after fumigation with hydrocyanic acid gas at the port of Rangoon, except that plants which are used for the purpose of introducing insect parasites may be imported without fumigation when accompanied by the required special certificate from the Entomologist, Burma. (Another proviso relates to rubber plants grown in Sumatra or in the Federated Malay States.)

CERTIFICATE REQUIRED

5. No plants, other than unmanufactured tobacco imported from India, fruits and vegetables intended for consumption, and potatoes, shall be imported into Burma by sea unless accompanied by an official certificate that they are free from injurious insects and diseases. The certificate shall be in the form prescribed, or in a form as near thereto as may be and supplying all the information called for in the prescribed form. (See p. 6.)

Specific Restrictions

POTATOES

6. Potatoes shall not be imported into Burma by sea or by air, except from India, unless they are accompanied by—

(a) A certificate from the consignor stating fully in what country, and in what district of such country, the potatoes were grown and guaranteeing that wart disease was not known to exist on the farms where the potatoes were grown; and

(b) An official certificate that no case of wart disease of potatoes has been known during the 12 months preceding the date of the certificate, within 5 miles of the place where the potatoes were grown.

RUBBER PLANTS, INCLUDING HEVEA

7. Rubber plants imported into Burma by sea must be accompanied by two certificates, the form prescribed in paragraph 5 and an official certificate affirming that the estate from which the plants originated, or that the individual plants, are free from *Fomes lignosus*, *Sphaerostilbe repens*, *Dothidella ulei* (*Melanopsammopsis ulei*) (*Fusicladium macrosporium*), and *Oidium heveae*.

11.[3] Hevea rubber plants and seeds shall not be imported into Burma from America or the West Indies except by the Director of Agriculture, Burma.

CITRUS PLANTS AND CUTTINGS

8. No lemon, lime, orange, grapefruit, or other citrus plants, or cuttings thereof, shall be imported into Burma unless, in addition to the certificate prescribed in paragraph 5, they are accompanied by an official certificate affirming that they are free from the *Mal Secco* caused by *Deuterophoma tracheiphila*, or that the disease does not exist in the country in which they were grown.

UNMANUFACTURED TOBACCO

9. Unmanufactured tobacco, either raw or cured, shall not be imported into Burma by sea unless, in addition to the certificate prescribed in paragraph 5, it is accompanied by an official certificate affirming that *Ephestia elutella* does not occur in the country of origin.

SUGARCANE

10. Importation of sugarcane into Burma by sea from the Fiji Islands, New Guinea, Australia, or the Philippine Islands is prohibited absolutely. From other countries sugarcane may be imported into Burma by sea or by air, only by the Deputy Director of Agriculture, East Central Circle, Pyinmana, to be grown by him in quarantine for 1 year, when accompanied by an official certificate stating that the sugarcane has been examined and found free from cane borers, scale insects, white flies, root disease (any form), pineapple disease, *Ceratostomella paradoxa* or *Thielaviopsis paradoxa*, sereh dwarf disease, leaf scald, and cane gummosis, that it was obtained from a crop which was free from mosaic and streak diseases, and that the Fiji disease of sugarcane does not occur in the country of export.

SEEDS OF FLAX, BERSEEM, AND COTTON

12. (a) Seeds of flax, berseem (Egyptian clover), and cotton shall not be imported into Burma by air, or by letter or parcel post otherwise than by sea.

14. Flaxseed and berseem seed may be imported by sea only under a license issued by the Director of Agriculture, Burma.

15. (2) Cottonseed may be imported by sea for experimental purposes only by the Deputy Director of Agriculture, Myingyan Circle, Meiktila, in quantities not exceeding one hundredweight (112 pounds) in any one consignment, through the port of Rangoon only, to be fumigated upon arrival with carbon bisulfide.

COFFEE

13. Coffee plants, seeds, and beans shall not be imported into Burma except for experimental planting purposes by the Director of Agriculture, Burma, or the Principal Agricultural Officer, Federated Shan States. This prohibition does not apply to roasted and ground coffee.

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[3] The numbered paragraphs do not follow in sequence, because an effort has been made to assemble the paragraphs on "Specific Restrictions" in one place, to be followed by the paragraphs on "Prohibitions."

PROHIBITIONS

MEXICAN JUMPING BEANS

12. (b) The importation of "Mexican jumping beans" (*Sebastiania palmeri* of the family Euphorbiaceae) into Burma is prohibited absolutely.

UNGINNED COTTON

15. (1) Unginned cotton shall not be imported by sea or by air.

GRAM

16. The importation of gram (chick pea, *Cicer arietinum*) into Burma is prohibited absolutely.

PRESCRIBED FORM OF CERTIFICATE

This is to certify that the plant(s), living plant(s), or plant products, a representative sample of the plant(s), living plant(s), or plant products (strike out the words not applicable) included in the consignment, of which particulars are given below, were/was thoroughly examined on the_____ (date) by _____ (name), a duly authorized official of_____ (country of origin), and found to be healthy, no evidence of the presence of any injurious insect, pest, or disease [destructive to agricultural or horticultural crops or to trees or bushes having been found in/on them and that the consignment (including the packing) covered by this certificate has/has not been treated in the following manner (e. g. fumigated with_____ or disinfected with_____)] $\frac{\text{prior}}{\text{immediately subsequent}}$ to inspection. $\frac{\text{Inspected}}{\text{Not inspected}}$ in the field by a duly authorized inspector on _____.

_____
(Signature)

_____
(Official status)

Date_____.
Number and description of packages_____.
Distinguishing marks_____.
Description of plants or plant products or parts thereof_____.
Stated to be grown at_____.
Exported by _____.
Name and address of consignee_____.
Name of vessel or particulars of route_____.
Date of shipment_____.
Port or place of entry_____.
Additional certificate(s) attached_____.

(Give here details of any special certificate or certificates issued in respect of imports specifically scheduled.)

(According to information received from the Secretary to the Government of Burma, the standard export certificate, Form EQ–375, will be acceptable on condition that it contains all the information called for in the above form. A statement should be made under "Qualifying Notations" that the certification includes packing material. In addition, the names and addresses of the shipper and consignee should be given in the body of the certificate, along with the date of shipment and port or place of entry. In case the certification is in relation to fumigation, a description of the treatment should be given under "Qualifying Notations.")

B. E. P. Q. 522.

PLANT-QUARANTINE IMPORT RESTRICTIONS, REPUBLIC OF ECUADOR

FEBRUARY 12, 1942.

This digest of the plant-quarantine import restrictions of the Republic of Ecuador has been prepared for the information of exporters of domestic plants and plant products to that country, and for plant quarantine officials.

The circular was prepared by Richard Faxon, District Supervisor, Certification for Export, Division of Foreign Plant Quarantines, from a translation of an Executive Decree of February 15, 1940, and Regulatory Decrees relating to animals and plants issued November 17, 1925, and January 25, 1926, and reviewed by the Director General of Agriculture and Animal Industry of Ecuador.

The information in this circular is believed to be correct and sufficiently complete for its purpose up to the time of preparation, but it is not to be interpreted as legally authoritative.

P. N. ANNAND,
Chief, Bureau of Entomology and Plant Quarantine.

BASIC LEGISLATION

An Executive Decree of February 15, 1940, established general plant and animal health regulations, and provided for the establishment of a phytosanitary service charged with the inspection of plants. This service administers regulations issued November 17, 1925 (effective January 1, 1926), and January 25, 1926, in relation to importations of plants and plant products.

CONCISE SUMMARY

IMPORTATION PROHIBITED

Cottonseed, cotton bolls, or raw cotton from countries infested with the cotton boll weevil (*Anthonomus grandis* Boh.).

Plants and plant products for planting or propagation in Ecuador from infected regions.

IMPORTATION RESTRICTED

Hay or straw, live plants, seeds, cuttings, sprouts, buds, grafts, etc., must be accompanied by a phytosanitary certificate.

Parcel-post shipments of seeds, cuttings, etc., must be certified to be in healthy condition by the shipper.

Consular visa is required with official phytosanitary certificates and will be supplied free of charge.

GENERAL REGULATIONS

[Decrees of November 17, 1925, and January 26, 1926]

ARTICLE 1. Relates to animal quarantines.

ART. 2. The importation is prohibited of hay and straw, live plants, seeds, cuttings, sprouts, buds, grafts, etc., which come from disease-infected places. Said plants and parts thereof, even though they may be shipped in small quantities by mail, must be accompanied by a certificate issued by an Official Entomologist, or by the phytosanitary authorities of the country of origin, in which it is stated that the plants or parts thereof are not infested with any insect or infected by any fungus disease and that they have been properly disinfected. (See also Revision of January 25, 1926, regarding parcel-post shipments.)

This certificate must be certified by the Ecuadoran consul in the country of shipment.

In the particular case of cottonseed, cotton bolls, and raw cotton, the certificate visaed by the consul must state under oath or formal declaration, that the bolls or seeds come from a country in which the cotton boll weevil (*Anthonomus grandis* Boh.) does not exist.

ART. 3. The consuls are required to keep close watch of all shipments covered by these regulations, and to report to the Ministry of Agriculture concerning the occurrence and disappearance of insect pests and plant diseases in the country in which they reside, in order to safeguard the interest of Ecuador from pests which might be imported with restricted material.

ART. 4. Consular authorities, Customs inspectors, the Smuggling Patrol, and Postmasters are entrusted with the fulfillment of these regulations.

ART. 5. Customs inspectors and postmasters are required to notify the Department of Agriculture of all importations of plants, seeds, etc., passing through their offices, and to send a copy of the certificate accompanying such shipments handled by them with each notification.

REVISION AGREED UPON JANUARY 25, 1926

PARCEL-POST SHIPMENTS

ARTICLE 1. All shipments of seeds, cuttings, shoots, buds, grafts, bulbs, etc., except cottonseed, cotton bolls, and raw cotton, coming from foreign countries in small quantities by mail are exempt from the official certification requirement. However, the foreign shipper of such products must send with each shipment a certificate in which he testifies as to the healthy condition of the material.

ART. 2. Postmasters are required to send copies of such certificates to the Department of Agriculture.

ART. 3. If such certified plant material is found in bad condition, diseased, or infested with insects by the addressee, he shall notify the Department of Agriculture immediately. In case further examination by Department inspectors confirms his report, the result of the inspection will be published in the Official Bulletin of the Department.

ART. 4. In the event that parcel-post packages containing seeds, plants, etc., arrive without health certificates of any kind, the postal authorities must advise the Department of Agriculture, or the nearest plant inspector, by telegraph, giving necessary details of the shipment and hold same for disposition by the plant-inspection authorities.

ART. 5. Consular visa required by previous decrees in connection with official certificates will be supplied free of charge.

PENALTIES IMPOSED FOR VIOLATIONS OF THE PLANT QUARANTINE ACT

According to reports received by the Bureau during the period January 1 to March 31, 1942, penalties have recently been imposed by the proper authorities for violations of the Plant Quarantine Act, as follows:

QUARANTINES AFFECTING MEXICAN PRODUCTS

In the case of the United States versus the persons listed below, for attempting to smuggle in contraband plant material, the penalties indicated were imposed by the United States customs officials at the following ports:

Name	Port	Contraband	Penalty
Pedro Aguilar	Brownsville, Tex	8 avocados	$1
Elena Aceves Lavios	do	1 cherimoya	1
Miguel Escobar	do	1 mango	1
Jose Angel Guiterrez	do	2 oranges	1
Jose Villareal	do	5 potatoes	1
Castrimira Rangel	Del Rio, Tex	2 oranges	1
Jose Rosado	do	4 oranges	1
Inocente Villanueva	do	3 oranges	1
Luis Castorena	do	6 avocados	1
Donaciano Arauza	Eagle Pass, Tex	2 oranges	1
Juan Chacon	do	9 guavas	1
Andrea Fuentes	do	2 oranges	1
Luz Maldonado	do	2 mangoes	1
Bessie Jefferson	do	1 orange	1
Abdias Gomez	Hidalgo, Tex	6 avocados	1
Romana Zamora de Paloma	do	1 orange, and 4 ounces tree seed	1
Regino Camocho	do	1 orange	1
Juan Gayado	do	1 cutting (ornamental vine)	1
Marcella Munoz	do	5 plants	1
L. Ruebeck	do	14 oranges	1
Rosa Torres	do	2 avocados	1
Cruz Rodriguez	do	2 plants	1
Francisco Luna	do	7 oranges	1
Angelo Ranoldo	do	19 nodes sugarcane, 3 sapotes, 4 avocados, 101 coffee berries, 1 pound tree seed, and 1 pound tree seed in pulp.	1
Benigno Martinez	do	8 nodes sugarcane and 1 orange	1
Paula Hernandez	do	5 avocados	1
Juliana Garcia	do	12 tree seed	1
Paula Garcia	do	1 plant	1
Concepcion Saldina	do	1 avocado	1
Nasaria Garza	do	1 orange	1
Doroteo Martinez	do	3 avocados	1
Hipolito Suarez	do	do	1

Name	Port	Contraband	Penalty
Juana Galvan de Garza	Hidalgo, Tex	2 avocados	$1
Elena Garza Montuno	do	1 avocado and 1 mango	1
Beneto Rodriguez	do	1 avocado	1
Juana Maldonado	do	3 avocados	1
Margarito Ramirez	do	2 avocados	1
Mrs. H. W. Holimon	do	1 mango	1
Francisco Rodriguez	do	4 avocados	1
Alberta Lopez	do	2 plants	1
Maria Ortiz de Maldonada	do	11 avocados	1
Flavia Pena	do	1 plant	1
Domingo Garcia	do	3 avocados	1
Augustine Rocha	Laredo, Tex	14 oranges	1
Geo. W. Kunkle	do	10 oranges and 8 tangerines	2
Andres Gonzalez	do	10 plants	1
Cecilia Sanchez de Silva	do	10 oranges	1
Encarnacion Figueroa	do	12 sweet limes	1
Armando Chapa	do	1 avocado	1
Jesus Montajano	do	2 mameys	1

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